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NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERNON ROAD, LETCHWORTH, HERTS, SG6 3JF ON THURSDAY, 13TH MARCH, 2025 AT 10.00 AM

MINUTES

Present: *Councillors: Alistair Willoughby (Chair), Ruth Brown, Elizabeth Dennis and Steven Patmore.*

In Attendance: *Sharon Bartram (Licensing Officer), Amy Cantrill (Trainee Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Dimple Roopchand (Litigation and Regulatory Solicitor).*

Also Present: *At the commencement of the meeting approximately* 10 *members of the public, including registered speakers.*

14 ELECTION OF A CHAIR

Councillor Ruth Brown proposed and Councillor Steve Patmore seconded, and it was:

RESOLVED: That Councillor Alistair Willoughby be appointed as Chair for this meeting of the Licensing Sub-Committee.

15 ELECTION OF A RESERVE MEMBER

The Chair welcomed Members, Officers, Applicant, Environment Protection Officer and Other Persons to the hearing.

Councillor Steve Patmore proposed and Councillor Elizabeth Dennis seconded, and it was:

RESOLVED: That Councillor Steve Patmore be appointed as the Reserve Member for this meeting of the Licensing Sub Committee.

16 HEARING PROCEDURE

The Sub-Committee noted the hearing procedure.

17 VARIATION OF A PREMISES LICENCE IN RESPECT OF BYGRAVE PLANTATION

The Licensing Officer presented the report entitled Determination for the Variation of a Pemises Licence in Respect of Bygrave Plantation, Land Adjacent to 1 Caldecote Road, Newnham, SG7 5JZ.

The report, together with verbal submissions and questions from the Premises Licence Holder, the Premises Licence Holder's Representatives, and Other Persons, as well as advice from the Legal Advisor, was considered.

The report of the Licensing Officer was noted.

18 DECISION NOTICE

The agreed decision notice is attached as part of the Minutes of this meeting.

The meeting closed at 8.25 pm

Chair

Decision Notice

Licensing Authority	North Hertfordshire District Council
Date of Hearing	13 March 2025
Members of the Sub-Committee	Councillors Ruth Brown, Elizabeth Dennis, Steve Patmore, Alistair Willoughby
Licence Holder	AE & WA Farr Limited
Premises Address	Bygrave Plantation, Land Adjacent to 1 Caldecote Road, Newnham, Hertfordshire SG7 5JZ
Date of Application	6 December 2024
DECISION	This is an application for a variation of an existing premises licence under Section 34 of the Licensing Act 2003. The terms of the variation refers to the amendments to the variation licence submitted by the Applicant on 4th March 2025. 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 (issued under section 182 of the Licensing Act 2003) and North Hertfordshire District Council's Statement of Licensing Policy and has come to the following decision: The Sub-Committee has decided to grant the Application in part subject to the amendments to the Licensable Activities and Timings and Additional Conditions outlined below:
LICENSABLE ACTIVITIES AND TIMINGS	Section E: Live Music (Indoors and Outdoors) Monday: 12:00 to 22:00 Tuesday: 12:00 to 22:00 Wednesday: 12:00 to 22:00 Thursday: 12:00 to 23:00 Friday: 11:00 to 01:00 Saturday: 11:00 to 01:00 Sunday: 11:00 to 23:00 The timings for any evening leading into an English Bank Holiday shall be extended to 01:00.

	Section F: Recorded Music (Indoors and Outdoors) Monday: 12:00 to 22:00 Tuesday: 12:00 to 22:00 Wednesday: 12:00 to 22:00 Thursday: 12:00 to 23:00 Friday: 11:00 to 01:00 Saturday: 11:00 to 01:00 Sunday: 11:00 to 23:00 The timings for any evening leading into an English Bank Holiday shall be extended to 01:00. Section I – Provision for Late Night Refreshments Thursday: 23:00 to 00:00 Friday: 23:00 to 01:00 Saturday: 23:00 to 04:00 Sunday: 23:00 to 04:00
CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES	The Sub-Committee recognises that conditions will only 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. The following conditions are each considered appropriate by the Sub-Committee to promote the licensing objectives of: • prevention of crime and disorder • public safety • prevention of public nuisance • protection of children from harm Operating Schedule Conditions 1 proposed within the variation application has been amended by the Sub-Committee as follows: This licence may be used for two (2) events per calendar year with an intended capacity of between seven thousand five hundred (7,500) persons and fourteen thousand nine hundred and ninety-nine (14,999) persons i) The Premises Licence Holder will provide notification of such events to the Licensing Authority, Ashwell Parish Council, Bygrave Parish Council and Newnham Parish Council no later than six (6) months prior to the commencement of the event, save where agreed

	with the Safety Advisory Group ("SAG"). This notification will provide the name of the event, the event type (including licensable activities and relevant zones to be used within the site), the date of the event (including start and finish times) and the anticipated capacity of the event. ii) The Premises Licence Holder will provide a draft Event Management Plan (EMP) to all responsible authorities no later than six (6) months prior to the commencement of the event. The EMP will be regularly updated in accordance with the requirements of the operating schedule conditions and a final version will be agreed in writing with all responsible authorities no later than twenty-eight (28) days prior to the commencement of event build-up on site. The final agreed EMP will be attached to the premises licence as part of the operating schedule and its requirements will form licence conditions. iii) The Premises License Holder shall offer to engage, on a remunerated basis, the services of an officer from the responsible authority for minimising or preventing the risk of pollution of the environment or of harm to human health to conduct noise monitoring of the event. Operating Schedule 1c) Any request to submit late documentation and/or late notice events must be submitted to the SAG and considered by the SAG in accordance with the EMP. Additional conditions imposed by the Licensing Sub Committee: 1) The Premises Licence Holder shall provide for a security patrol vehicle to be stationed in and around the immediate vicinity of the villages of Bygrave, Newnham & Ashwell for events in excess of 3000 tickets sold or supplied for any event. 2) Any event held at the licensed premises shall not exceed 5 calendar days. The Premises Licence Holder has offered up the following conditions to assist in the promotion of the licensing objectives: 1) The use of the main stage for the provision of regulated entertainment to cease at 1am. Additional Conditions proposed by North Hertfordshire District Council's Senior Environmental Health Officer and agreed with by the Premises Licence Holder ahead of this hearing: **PS1 – Event Management Plan** 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. The final EMP will form part of the operating schedule conditions of the licence. In the event that the final EMP does not appear to adequately identify and mitigate the public safety risks of an event of this nature, the event will not proceed until such time that the EHO notifies the Licensing Authority in writing that they believe the EMP is adequate. This condition places no liability on the EHO for the safety of the event, it merely confirms that the EMP would be suitable for an event of this nature assuming that the event organisers implemented the content and continued to review the public safety risks throughout the event. **PS2 – Event Management Plan** Demonstrate that suitable arrangements are in place for operating a safe event in accordance to the timescales in PS1, or it shall not go ahead. To demonstrate suitable arrangements for the management of a safe event, an event management plan shall be prepared that is not limited to, but includes the following: a) 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. b) a table listing all areas and the spaces allocated to each; c) 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. d) risk assessments for all activities relating to the event; e) full details of security and stewarding arrangements, means for giving warning of an emergency, including the initiating and effecting of any evacuation, including from structures; 1. detail of crowd management including capacities and how these will be monitored and evacuation times from each area of the site to allow for safe and quick evacuation in the event of an emergency 2. details of all proposed safety barriers and fencing to be erected on site, including the positioning; 3. details of proposed special effects (including fireworks, lasers, dry ice special lighting effects) and proposed safety arrangements associated with their use; 4. details for managing all traffic and vehicle movements on site, including within parking areas, during the event build-up phase, during the event and during the site breakdown phase. 5. management arrangements for site access and egress, including specific arrangements for emergency services; 6. layout and facilities in any campsites and management

	arrangements for camping areas (including policies on camp-fires and barbecues); 7. smoking policy in the licensed area; 8. medical and first aid provision; 9. 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; 10. Provision of artificial lighting to all parts of the licensed area, including emergency lighting 11. Arrangements for the provision of sanitary accommodation (including toilets, washing facilities and washing-up facilities) plus methods for the disposal of waste water; 12. Arrangements for the management of sanitary accommodation during the event 13. Details of the water supply and network available at the event (BS 8551) **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: 1. a plan to a suitable scale indicating the location of all such structures; 2. a description and type of each structure, for non-standard structures a detailed design statement should accompany the description; 3. 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 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); iii) for non-standard structures or designs those responsible for third party accreditation with regard to design and sign-off; iv) for monitoring the structure during the licensed period 1. location and availability of the 'sign-off for use' completion certificates; 2. monitoring of structures in line with the risk assessment 3. details of the limitations placed upon the structure other than wind

	speed; 4. 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; **PS4 – Water management Plan** The Premises Licence Holder is to provide a water management plan for their event to the Commercial Team (Environmental Health) no later than twenty-eight (28) days prior to the commencement of the event. This plan should contain, but not be limited to; 1. The source of water (mains or private water supply) 2. A schematic of the water distribution network and drainage arrangements 3. Contingency arrangements for failure of supply 4. Drinking water testing arrangements 5. Calculation that the water supply is sufficient for activities onsite during peak demand 6. Assurance that any person responsible for commissioning or working on the water supply network is suitably competent. A suitably competent person is a member of "watersafe" or hold equivalent accreditation details 7. Assurance that any person responsible for commissioning or working on the water supply network provides water in accordance with BS 855, Provision and management of temporary water supplies and distribution networks. Where water provision will be via mains water, the Premises Licence Holder must inform the water undertaker at least twenty-eight (28) days prior to the commencement of the event. **PS5 - High risk food traders** The Premises Licence Holder shall provide relevant information to the Commercial Team (Environmental Health) regarding the for high risk, open food traders*. Information provided to North Hertfordshire District Council's Environmental Health Commercial Team shall be provided in the manner detailed below. 1. Name of food trader 2. Registered name of food business 3. Registered address of food business (including postcode) 4. Food hygiene rating & Date awarded 5. Type of food sold 6. Inspecting Authority (*High-risk, open food traders; food businesses that sell, prepare foods that are non-ambient stable (must be kept cold or hot for safety) and/or are unwrapped foods directly handled by staff.)

	PS6 – Multi-agency meetings 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 as requested by the Safety Advisory Group. **PS7 – Safety Officer** A competent (suitably experienced and qualified) safety officer be appointed for assisting in the planning, build and during the event.
EFFECT OF FAILING TO COMPLY WITH CONDITIONS	The effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, could result in an unlimited fine or up to six months imprisonment or both.
STATUTORY GUIDANCE CONSIDERATIONS	The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (December 2023 version) in reaching its Decision. It has found the following sections to be of particular relevance in reaching this decision: Sections 1.3; 1.4; 1.5; 1;17; 1.19; 2.1; 2.9; 2.16; 2.21; 2.22; 2.23; 2.24; 2.25; 2.26; 2.27; 2.28; 8.13; 8.14; 9.12; 9.30; 9.42; 9.43; 9.44; 10.8; 10.9; 10.10; 10.18; 11.10; 11.17; 11.19; 11.20; 11.23; 13.10.
LICENSING POLICY CONSIDERATIONS	The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching its decision. They have found the following sections to be of particular relevance in reaching this decision. Sections: B6; B8; B10; D1.4, D1.5, D1.6, D2.1; D2.2; D2.4; D2.5; D2.6; D2.8; D2.9; D2.11; D3.1; D3.2; D3.3; D3.4; D6.2; D6.3; D.6.4; D6.6; D6.7; D6.8; D6.9; D8.1; D8.2; D8.3; E1.3.1; E1.3.2; E1.3.3; E2.1; E2.2; E2.4.1; E2.5.1; E2.7.1; E3.1.1; E.3.1.2; E3.1.3; E3.1.4; E3.1.5; E3.2.4; E3.9.1; E3.9.3; E4.1; E4.6.7; E4.11; F3.4; F3.5; F7.4; F7.5; F8.1; F8.2; G1.5; G1.6; G1.8; G2.2; G2.3; G2.6; G2.7; G2.8; G2.11; G3.1; G3.2; G4.2; G6.1.1; G6.1.2; G6.1.3; G6.2.1; G6.2.2 G6.2.3; G6.4.1; G6.4.2; G6.4.3; G6.4.5; G6.6.1; G6.6.2; G6.64; G6.6.5; G6.6.7; G6.7.1; G6.7.2; G6.7.3; G6.7.4; G6.7.5; G7.1.1; G7.1.2; G7.1.5; G7.3.1; G7.3.1; G7.3.2; G7.3.3; G7.3.4; G7.3.5; G7.4; G7.4.1; G7.4.2; G7.4.3; G7.4.4; G7.4.5; G7.4.6; G7.4.7; G7.6; G8, G9;O1.1; O4.2.1.
RATIONALE FOR DECISION	1. In coming to its decision, the Sub-Committee has listened to the comments addressed by both parties at this hearing. The

	Sub-Committee is mindful to strike a healthy balance between the needs of the Premises Licence Holder to support their business, as well as the well-being and safety of the neighbouring community. 2. The Sub-Committee was particularly mindful of the concerns raised on behalf of residents by the other persons, as well as the statement provided by Hertfordshire Constabulary in respect of public nuisance and anti-social behaviour. 3. The Sub Committee has refused the variation to amend the licensable area. It has been noted the Applicant indicated the primary purpose for this area was for car parking and camping which is not a licensable activity. Any activities in this area can be addressed within the EMP, TMP and in conjunction with SAG. 4. The Sub Committee acknowledged the condition offered up by the Premises Licence Holder to cease the use of the main stage for the provision of regulated entertainment at 1am. However, the Sub Committee determined that the cessation of all live and recorded music at 1am will address the representations made in relation to noise nuisance and enable the promotion of the licensing objectives. 5. When determining the Applicant's request for one event per year of up to 19,999 attendees, the Sub-Committee was mindful of the need to balance the business objectives of the Applicant as well as the impact of these activities on residents living in a rural area. In reaching its decision not to permit an event of up to 19,999 attendees, the Sub-Committee was mindful of the evidence presented regarding traffic and concerns regarding the public safety of those attending an event of this scale and those living within the vicinity of the licensed premises, albeit very mindful that no representations have been made at this time by the appropriate responsible authorities. 6. In reaching this decision, the Sub Committee was also mindful that the licence holder has presented a business case informing that there are 2 potential events that could exceed 7500 persons but not yet reach the full capacity currently licensed at 14,999 persons. The Sub Committee has acknowledged, by agreeing a variation in part to allow 2 events up to 14,999 persons, will support the sustainable growth of the business whilst balancing the needs of the community proximate to the site.
COMMENCEMENT DATE	This decision takes immediate effect.
RIGHTS OF APPEAL	An appeal may be made against this decision by: • the holder of the premises licence • any person that made a relevant representation in relation to the

	application The appeal and appeal fee must be lodged with the Clerk to Stevenage Magistrates Court no later than twenty-one (21) days after the day on which the parties were notified by the Licensing Authority 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, such as a resident affected by licensable activities at the premises, may apply to 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.

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