

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**LICENSING AND APPEALS SUB-COMMITTEE**

**Notes of the first session of a meeting held in  
Spirella Ballroom, Icknield Way, Letchworth Garden City  
on Wednesday, 18 May 2018 at 7.00p.m.**

**NOTES – SESSION 1**

***PRESENT:*** Councillor Jim McNally (Chairman), Councillor Michael Muir and Councillor Ian Albert

***IN ATTENDANCE:*** James Ellis (Legal Advisor), Steve Cobb (Licensing Manager), Hannah Sweetman (Licensing Officer), Mollie Sheills (Licensing Officer), Hilary Dineen (Committee and Member Services Officer).

***ALSO PRESENT:***

Richard Maskell – Applicant  
6 Experts supporting the Applicant  
23 Supporters  
23 Objectors  
1 Member of public

The Chairman welcomed everyone to the meeting

There was an automated fire safety announcement

The following introduced themselves:

Councillor Jim McNally – Chairman  
Councillor Michael Muir – Committee Member  
Councillor Ian Albert – Committee Member  
Steve Cobb – Licensing Manager  
Hannah Sweetman – Senior Licensing Officer  
James Ellis – Legal Advisor

The Chairman declared that he had previously made use of Mr Maskell's studio. This was a business relationship only and there was no personal relationship. He was therefore confident that he could Chair this Licensing Hearing

The Applicant and his team introduced themselves:

Richard Maskell – Applicant  
Dale Mabert – Security  
Tony Fenton – Traffic Management Team  
John Heath – Health and Safety  
Neil Wheeler – Health and Safety (Deputy)  
Ross Sharples – Noise Management  
Lawrence Alderman – DPS and landowner

The Chairman asked people to introduce themselves when speaking.

The Chairman advised that he was changing the order of the Hearing Procedure under Chairman's rights as the applicant had made some significant amendments to the application therefore it would assist the process if the applicant made his submission first. This would enable the other persons to understand the revised application and amend their submissions accordingly.

The Legal Advisor advised that this was an application for a new licence.

The concerns originally raised by the Responsible Authorities had been addressed.

Members should take into consideration the fact that concerns originally raised by the responsible authorities, namely Hertfordshire Constabulary, NHDC Environmental Protection, NHDC Environmental Health and Hertfordshire Fire and Rescue have all been addressed by the applicant by way of additional operating schedule conditions.

Whilst there were no longer any representations from responsible authorities, there were several from "other persons" as well as supporters for the applicant, which will of course, need to form part of Members' considerations.

At all times when considering the evidence before it, the Sub-Committee must have regard to the four Licensing Objectives, and any representations that were not concerned with one of the four Licensing Objectives should not be considered.

Upon hearing all of the evidence, the Sub-Committee needed to consider whether to

- i. Grant the application as made,
- ii. Grant the application with conditions and/or amendments to the licensable activities and/or timings, or
- iii. Refuse the application

He advised that he was happy to answer whatever questions the Sub-Committee may have throughout the hearing.

The Licensing Officer informed Members that the applicant had made amendments to the application that afternoon.

Section 18 of the Licensing Act 2003 (Hearings) Regulations 2005 says that the Licensing Authority can take into account information received before the hearing. Additionally, the applicant could amend their application at any time during the hearing to address concerns raised therefore it was appropriate, given that it was known that this was to be the case, that the amendments were accepted prior to the hearing. This was to prevent unnecessary discussion about parts of the application that were going to be amended.

The Amendments are:

Page 36 Live Music

Saturday 12:00 – 00:30 (from 01:30)

Page 37 Recorded Music

Saturday 12:00 – 00:30 (from 01:30)

Page 40 Late Night Refreshment

Saturday 23:00 – 01:00 (from 02:00)

Page 41 Sale of Alcohol

Saturday 12:00 – midnight (from 01:00)

Page 42 Hours open to the public

Saturday 12:00 – 01:00 (from 02:00)

He advised that there were two additional conditions to add to Appendix F as follows:

1. No camping will be permitted at the 2018 event;
2. The capacity for the 2018 event will be 2,000 including artists and staff.

He drew attention to the following:

- The Event Management Plan was a live document that was highly likely to change;
- The Applicant or his representative could update it if amendments were made;
- Due to the live nature it would only be finalised 28 days before the event;
- The concept of a live Management Plan was supported by NHDC's Licensing Policy;
- Licence conditions stated that the Event Management Plan had to be agreed by the Police and the Traffic Management Plan had to be acceptable to Hertfordshire County Council;
- Only matters deemed relevant could be considered;
- Representations should contain comments to what was in their original objection and what was applicable to the revised application;
- The Sub-Committee could only consider licensing issues;
- No Responsible Authorities had made representations so we must assume that they were satisfied;
- An earlier application was rejected and any reference to this application should not be raised.

Members asked whether the amendments made to the application could be revoked.

The Licensing Manager advised that in making a determination the Sub-Committee could make amendments. Also the Police could stop the event if they were not satisfied with the Event Management Plan and Hertfordshire County Council could stop the event if they were not satisfied with the Traffic Management Plan.

Members queried whether the number of people attending could increase.

The Licensing Manager advised that the numbers could not increase in 2018 due to the volunteered condition.

The Applicant advised that the amendments had been made in response to the views and advice received at public meetings, SAG meetings and meetings with Responsible Authorities.

He had taken on board the major objections such as those regarding public camping.

He had been open to speaking about any issue, had been very transparent about the application and felt that, with these amendments, this community event would be successful.

The Licensing Manager advised that this was the Applicant's opportunity to convince the Sub-Committee as to why he should be able to hold the event.

The Chairman read through the order of the hearing.

The Applicant advised that this was community music, arts and food festival.

Saturday would be a family day of mixed music and Sunday would be a community day with local artists.

He had been through all of the objections to the application and taken them on board and offered amendments to the application in response.

He had worked tirelessly on organising the event and, as camping had been a bone of contention, was not offering this to the public in 2018.

Mr Sharples was the noise consultant, the applicant had a background in audio and Dale Mabert was his security advisor.

Mr Mabert advised that they had held a public meeting and taken on board the key points that arose. They had implemented a security team and a mobile response team.

All incidents would be logged and the mobile response team would respond to any issues raised by the control room during the event. There would also be CCTV cameras covering a large portion of the perimeter.

There would be a banned items policy, including drugs and a search policy would be implemented.

Mr Maskell advised that they had vastly improved the waste management plan and were hiring a waste disposal team.

In respect of roadways, they had hired a traffic management expert and had met with Herts County Council. There were also Police conditions included.

Mr Fenton advised that they had initially put together a plan to stop people crossing the A505 and were now advising attendees not to turn right off the A505. Directions to the event taking people through Slip End and the entrance to the site would be controlled by officers. In addition they would put up no parking signs in the village.

Mr Maskell advised that he had planned a schedule of music designed to spread traffic across the day. There would be a taxi rank on site and no cars would be allowed to stop on the road. Therefore all traffic would be within the site, including the taxi rank. They had applied to shuttle bus companies to provide buses from Stevenage and Baldock.

There would be a “soft” close to the event, with only soft drinks being available in the last half hour, with the aim of staggering cars leaving the event.

They needed the larger capacity in order to attract the bigger acts to this mixed music event.

In respect of noise, a phone number would be provided and the mobile team would respond to calls, they would go to people’s homes and test sound levels. If needed they would advise that the sound be turned down on the site. All sound systems would be controlled by one person.

The Chairman asked for confirmation that there would be one central control for all sound levels

Mr Maskell advised that all sound would pass through a sound limiter and, if there were a breach, the sound would be tuned down immediately and the main acts would finish by 11pm.

Mr Sharples advised that he was a chartered noise consultant and had undertaken a feasibility study and pre-distance calculations.

The contentious period was between 11pm and 1am.

Noise calculations were within 5db of what was deemed as acceptable.

If weather conditions worked against them they would consider timings.

They had offered conditions regarding noise.

The applicant had a detailed understanding of music and noise and he was entirely confident that the event could be conditioned to a satisfactory level.

There would be two noise offices and, if he felt that noise levels were too loud, he would radio the control room and the noise would be turned down.

He had conducted 20-30 events which were controlled in this way with 100 percent success.

Mr Maskell informed Members that they would build sound proofing and would use baffles, which were not included in Ross’ calculations and he was happy that the required sound levels could be reached.

Mr Sharples advised that the primary concern would be to protect residents.

The Chairman clarified that, if the emergency phone number for residents was used, someone would go out and, if they believed that the noise was too audible, the sound could be tuned down and the resident informed.

Mr Heath informed Members that he was the Health and Safety officer and that it was his job to make sure that everything was done correctly and safely.

The resident of Setwell Cottages, Sandon noted that, in respect of fire assessments, all emergency exits would be tied off. They observed that emergency exits should be available at all times and queried the constitution of the teams working on the event. They also queried what would happen in the event of a power failure.

Mr Maskell advised that they would have two sets of lights, which would be powered by a generator.

Mr Dell, an objector, asked how they would deal with Roe Green, a rural area, in the traffic management plan and whether they would be using another landowners land

Mr Maskell stated that he hoped that horse riders would understand about the traffic and that he would not be using any other landowners land.

Mr Dell stated that, in respect of getting taxis to attend the event, this was unlikely as the Farr Fest in Baldock had problems getting taxis to attend.

Mr Maskell advised that Farr Fest was a much larger event. They had tried a number of things and last year the taxi rank had been successful. He was currently trying to get a taxi licence and local firms always wanted business.

Mr Dell stated that there could be up to 150 complaints coning in to the complaints line and asked how they could guarantee that lines would be available and queried what the Service Level Agreement would be.

Mr Mabert advised that they would set up a virtual number and if there were a lot of calls then callers would be put on hold. Details would be taken from callers, read back to them and then someone would respond.

Mr Dell asked what would be the noise level at the dance marquee.

Mr Maskell advised that the noise level would be 90dba as required.

Mr Dell noted that someone would attend a resident's house, and asked what guarantees could be given that there would be nothing else.

The Chairman stated that this question could not be understood.

Mr Wallbridge, an objector, referred to the emergency access at Sales Field and queried what would happen when trying to get emergency vehicles in this access during wet weather, also he understood that the landowner had not agreed for this to be used.

Mr Maskell advised that the landowner had originally agreed for this to be used, but they would no longer be using this access.

Mr Wallbridge queried whether the no left turn sign, mentioned in the traffic management plan would be for resident and attendees.

Mr Sharples advised that no one would be monitoring the junction. The direction included with the tickets would advise to follow the signs. People attending events don't ignore signs.

Sam Carlton, an objector, queried whether the mobile noise people would have equipment to test noise levels, whether two people were sufficient and who chose which properties to survey.

Mr Sharples advised that they would meet with the resident and take noise level readings and come to an agreement, there would be two people monitoring noise levels, one on site and one roaming and that he had chosen the properties to survey, one of which had complained previously.

Acceptable noise levels were calculated by using the acceptable base level in a bedroom and adding in any attenuation and the noise level outside the house, although this could be affected by topographical and meteorological conditions.

Mr Maskell informed Members that in the old days it would have been necessary to go through several people in order to turn the sound down, but now it would be tuned down immediately by one person.

A lot of consideration would be given to the sound from the dance stages and they would be using systems that were usually used for much larger festivals.

Mr Sharples advised that they would identify which stage was causing any problems, however all stages would be tuned down at once.

Mr Stuart Latta, an objector, informed Members that, at the initial event, he had clearly heard the event, even with all of the double-glazed windows shut. He stated that the sound was louder than the church bells and there was a tendency for sound to travel over large distances. He questioned whether this had been advised.

Mr Sharples advised that the sound travelling was due to a meteorological condition, this was a known phenomenon, which was not unusual.

The maximum level outside properties was 45dba and it should be noted that the best audio tools could be wrong by 5dba. Levels would be overridden and the sound turned down.

Mr Latta expressed concern that there was no evidence provided of the sound levels on site at the last event and was extremely concerned that the noise would be heard.

The Chairman asked Mr Sharples to give some examples of his experiences.

Mr Sharples advised that he had only experienced the meteorological phenomenon once in 10 years, but if this were to happen, the music would be turned down.

He advised that he would look at the meteorological conditions and take them into account for areas that would be affected.

Mr Maskell advised that last year there was not a condition on the licence regarding the direction of the stage, which pointed toward the village, but this had been changed.

Mr Latta referred to the traffic plan and noted the route plan and asked whether attendees would be advised not to use sat navs.

Mr Maskell stated that attendees would be asked to follow the signs, a method that had worked on other events.

Councillor Albert asked how many cars were expected at the event and how a single entrance would work, as there would be times that cars would be coming in and going out of a narrow entrance.

Mr Maskell advised that a lot of people would drive to the event and that there was capacity for 862 cars. There would be a roundabout within the property, which had worked well last year. There would also be CSAT operators to direct traffic, equipped with radios and in and out boards.

There would be a pedestrian entrance and no public footpaths would be closed.

The gridded area on the left of the entrance would be left clear as an emergency route.

Councillor Albert asked whether tickets would be available for sale all day and queried the re-entry rules.

Mr Maskell advised that there would be a limited number of tickets available though the day, but they would be asking people to buy their entry and parking tickets up front.

Everything would be available on site therefore no-one need leave the site.

Councillor Albert asked whether people who had been ejected would be left to wander the village.

Mr Mabert advised that, if someone was ejected, their wristband would be confiscated. They still had a duty of care and would have a minibus for emergency use.

Councillor Albert noted that there was an un-barriered children's play area across from the entrance to the site and queried how this would be managed.

Mr Mabert advised that they would place a temporary event barrier at the playground and there would be marshals at the entrance, also a trauma vehicle would be on hand.

Councillor Albert asked what alcohol would be allowed to be brought onto the site.

Mr Maskell advised that there was no cause for people to bring alcohol onto the site.

Mr Mabert advised that a banned list would be advertised, which would include any fluids of more than 150ml.

Councillor Muir asked whether they were paying for the Police and St John's to attend on and off site.

Mr Mabert advised that they were working closely with the Police and that it was not deemed necessary for the Police to attend.

Mr Maskell advised that there would be a medical team on site in the form of a fixed hospital equipped with a defibrillator and that Letchworth Gate Ambulance Station was 14 minutes away.



Councillor Muir noted that there would be no camping at the 2018 event and queried whether a two-day event was needed and whether the applicant would consider giving up the Sunday event.

Mr Maskell advised the Sunday event was effectively a large village fete, with music that was more family orientated. The Sunday event was also needed as part of the financial plan, particularly as they had given up the camping element.

Councillor Muir referred to the baffles mentioned earlier and stated that these needed to be placed on the east side. He queried how tall these baffles would be.

Mr Maskell advised that they were 8' x 4' panels that helped with the direction of sound. The sound levels were within acceptable limits even without the baffles.

Councillor Muir asked how many people would be on-call with sound equipment.

Mr Sharples advised that, in an ideal world they would have 2030 people, but this was not affordable.

He believed this was a two-person event.

There would likely be hotspots and if they received calls from several addresses in one area, they would not visit every house, but would visit the closest property.

Experience told him that this was a two-person event. He had managed Rhythms of the World, attended by 20,000 people on a 19 acre site with two people.

Councillor Muir cautioned that the applicant should be careful as residents could call for a review of the event and, if they wished to hold the event again, this one would need to be well managed.

Mr Sharples advised that there would be a post event report.

The Chairman advised that there would be a 5 minute comfort break