

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

Date of Hearing	Thursday, 14 th June 2007
Members of Panel	Councillors D.J. Barnard, Lorna Kercher & Marilyn Kirkland
Applicant(s) Name	Stately Events Ltd.
Premises Address	Renaissance at Knebworth Park, Hertfordshire
Date of Application	Thursday, 19 th April 2007
APPLICATION FOR PREMISES LICENCE	<p>This is an application for of a time-specific Premises Licence under Section 17 of the Licensing Act 2003, for the dates of Saturday, 30 June 2007 and Sunday, 1st July 2007 only.</p> <p>The Sub-Committee have read the material presented to us and have 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> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • PART B – Films • PART E – Live Music • PART F – Recorded Music • PART G – Performance of a Dance • PART H – Anything of a Similar Nature – Parts E, F or G • PART I – Provision of Facilities for Making Music • PART J – Provision of Facilities for Dancing • PART K – Provision of Facilities for Entertainment of a Similar Description – Parts I or J • PART L – Late Night Refreshment • PART M - Supply of alcohol <p>The hours during which the licensable activities may take place are:</p> <p>PART B - Films</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p>

	<p>PART E – Live Music</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART F – Recorded Music</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART G – Performance of Dance</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART H – Anything of a Similar Nature – Parts E, F or G</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART I – Provision of Facilities for Music Making</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART J – Provision of Facilities for Dancing</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART K – Provision of Facilities for Entertainment of a Similar Description – Parts I and J</p> <p>Saturday (30 June 2007) 1600hrs to 0600hrs the following morning</p> <p>PART L – Late Night Refreshment</p> <p>Saturday (30 June 2007) 2300hrs to 0500hrs the following morning</p> <p>PART M - Supply of alcohol</p> <p>Saturday (30 June 2007) 1600hrs to 0530hrs the following morning</p>
<p>CONDITIONS DEEMED NECESSARY 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 necessary 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 they consider that it is necessary to impose conditions as a result of these representations.</p> <p>The sub-committee does not consider that any additional conditions are necessary</p>
<p>CONDITIONS PROPOSED BY THE RESPONSIBLE</p>	<p>The following conditions have been recommended by Hertfordshire Constabulary</p> <ol style="list-style-type: none"> 1. A full security plan to be agreed with Hertfordshire Constabulary 28 days prior to the event or the event does not take place.

AUTHORITIES

This condition is considered unnecessary to ensure the promotion of one of the four licensing objectives, namely public safety

2. A statement of intent between Hertfordshire Constabulary and organiser to be agreed and signed off 28 days prior to the event taking place.

This condition is considered unnecessary for the promotion of one of the four licensing objectives, namely the prevention of crime and disorder

3.A full site evacuation plan to be forwarded to all responsible authorities 10 days prior to the event or the event does not take place. **In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.**

This condition as amended and agreed by the Applicant during the hearing is considered necessary for the promotion of one of the four licensing objectives, namely public safety

The following conditions have been recommended by **Building Control** and agreed by the Applicant during the hearing. All information must be supplied 10 days prior to the event

1. The location of all temporary demountable structures proposed (including: stages, marquees, etc.) within the areas covered by the three premise licenses be identified. **In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.**

2. Technical details of all temporary structures shall be provided. These would include:

- Structural and technical drawings and/or calculations of each structure
- Details of the proposed additional loadings to be applied to individual elements of each structure
- Suitable access and egress provided to each structure and any loading ramps being finished in a non-slip material
- How individual elements of any stage are fixed positively together
- The edges of any structure being adequately marked and protected with handrails at 1.1m high and a 150mm toe board on all edges except the downstage edge
- How all flexible wall and roof materials affixed to any stage, mast or tower are designed to meet the relevant wind loading criteria applicable to each structure
- Details of the method of assessing the wind speed during the event and what action is to be taken at relevant speeds
- Details of any means of escape in case of emergency from structures

In the event that this condition is not strictly adhered to the activities

permitted by this Premises Licence may not proceed.
This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

3.Details of the safety barriers to be provided to protect lighting towers, control consoles, front of house, generators, back stage and all other similar structures or apparatus or appliances, are forwarded. If the barriers are not under the constant supervision of SIA (Security Industry Authority) registered individuals, their height should be a minimum of 2.0 meters.
In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.
This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

4.Details of the safety barriers to be provided to the front of stages are forwarded.
In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.
This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

5.Relevant independent certification or manufacturers details are provided to demonstrate that any fabric or other material used in the construction or in conjunction with tents, marquees and similar structures, roof coverings, weather protection covers, curtains, drapes, back drops, scrims and other materials, used in or upon structures, consist of flame resistant materials or shall be rendered flame resistant to the current British Standard.
In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.
This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

6.(A)/Suitably qualified person/(s) responsible for the construction, commissioning and monitoring and their competency for the “sign-off” of each structure be identified as is the location and availability of the certificates.
In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.
This condition as amended is considered necessary for the promotion of one of the four licensing objectives, namely public safety

7.The design, installation and commissioning standards for the electrical installations are confirmed with regard to temporary structures.
In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.
This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

8.The person(s) responsible and their competency for the issuing of electrical commissioning certificates be identified as is the location and availability of the certificates.

In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.

This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

9.The major incident plan evacuation procedures being completed for the licensed area and relevant areas within the site, indicating proposed occupancies, method of controlling occupancies within individual areas, target evacuation time, escape dimensions, etc.

In the event that this condition is not strictly adhered to the activities permitted by this Premises Licence may not proceed.

This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety

The following conditions have been recommended by **Hertfordshire Fire and Rescue Authority**:

1. A fire risk assessment should be carried out for the event. The risk assessment should consider the safety of staff, members of the public, visitors and persons at specific risk in case of fire and the subsequent findings will determine the emergency plan

This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety.

2. Emergency vehicle access and egress must be maintained for the event and a Fire Appliance should be able to get within 50 metres of any temporary structure (on hardstanding, capable of taking the weight of a fire appliance in all weathers)

This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety.

3. A copy of the Fire Risk Assessment and the emergency plan will be forwarded, ten days prior to any event, to:
 - a. Hertfordshire Fire and Rescue Service, North Division Fire Safety, Longfield, Hitchin Road, Stevenage SG1 4AE for comment and
 - b. District Manager P Drakes, Stevenage Fire Station, St Georges Way, Stevenage, Hertfordshire SG1 1HS, for consultation and station familiarisation

This condition is considered necessary, as amended by the Sub-Committee, for the promotion of one of the four licensing objectives, namely public safety.

4. The fire risk assessment should be carried out by a competent person

This condition is considered necessary for the promotion of one of the four licensing objectives, namely public safety.

	<p>5. Conformation of the open access nature of the event marquees allowing free access for all sides is required to ensure the emergency routes fall within the guidance detailed in Fire Safety Risk Assessment – Open Air Events and Venues Date published: 8 March 2007 ISBN: 978 1 85112 823 5</p> <p>This condition is considered <u>necessary</u> for the promotion of one of the four licensing objectives, namely public safety.</p>
<p>CONDITIONS PROPOSED BY APPLICANT</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 P of their application.</p> <p>The application is deemed to include the Security Plan agreed between the Police and Applicant prior to the hearing as part of the Operating Schedule</p>
<p>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</p>	<p>The Sub-Committee has explained to the 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 a fine of up to £20,000 or up to six months imprisonment or both.</p>
<p>STATEMENT OF LICENSING POLICY</p>	<p>The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching their decision. They have found the following sections to be of particular relevance in reaching this decision.</p> <p>4. Regulating Licensing</p> <p>4.1 <i>Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. The Council may attach conditions to licences issued under the Act and these must be focussed on matters, which are within the control of the individual licence holders and others in possession of relevant authorisations.</i></p> <p>4.2 <i>Licensing law is not a mechanism for the general control of nuisance and antisocial behaviour by individuals once they are away from the licensed premises or event and therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in North Hertfordshire.</i></p> <p>4.3 <i>In addressing these matters the Council will primarily focus on the direct impact of the activities taking place at the</i></p>

licensed premises on members of the public living, working or otherwise engaged in activities in the vicinity.

5. Licence Conditions

5.1 *The Council will tailor any conditions to the individual circumstances of the premises and events concerned and will seek to avoid attaching disproportionate and over burdensome conditions on licences.*

5.2 *Conditions will only be imposed when they are necessary for the promotion of the Licensing Objectives and will focus upon matters within the control of the individual licensee such as the premises, places or events being used for licensable activities. Conditions are likely to be focused towards the direct impact of those activities on persons living, working or otherwise engaged in activities in the vicinity.*

7. Licensing Hours

7.1 *The Council recognises that fixed and overly restrictive opening times can lead to peaks of disorder and disturbance on the streets due to large numbers of people leaving licensed premises simultaneously. These concentrations of people leaving can result in friction at places such as late night food outlets, taxi ranks and other sources of transport. Longer licensing hours with regard to the sale of alcohol are an important factor in reducing these concentrations and the resulting crime and disorder.*

7.2 *The Council also recognises that licensing hours should not inhibit the development of a thriving and safe evening and night time economy, which is important for local investment, employment and tourism. The Council will not seek to restrict the trading hours of any particular premises unless this is necessary to promote one or more of the Licensing Objectives.*

8. Children and Licensed Premises

8.1 *The Council recognises the diversity of premises that will be licensed under the Act. The premises will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, take-away shops, community halls and schools. Access by children to any premises will not be limited unless it is considered necessary for the prevention of physical, moral or psychological harm to them.*

8.2 *When deciding whether to limit access by children to premises, the Council will judge each application on its individual merits.*

9. The Prevention of Public Nuisance

9.1 *Licensed premises may have significant potential to impact*

	<p><i>adversely on communities through public nuisances that arise from their operation. The Council interprets 'Public Nuisance' in its widest sense and takes it to include such things as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in activities in the vicinity of a particular premises.</i></p> <p>10. Live Music, Dancing and Theatre</p> <p>10.1 <i>The Council recognises the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community.</i></p> <p>10.2 <i>Only necessary, proportionate and reasonable licensing conditions will be imposed on relevant licences so as not to discourage the promotion of entertainment. Conditions will relate to the promotion of the Licensing Objectives.</i></p> <p>10.3 <i>The Council will avoid any measure, which deters live music, dancing and theatre by imposing indirect costs of a substantial nature.</i></p>
RATIONALE FOR DECISION	The Sub-committee has considered the evidence at the hearing and considers that this Licence as granted promotes the four licensing objectives
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 an interested party, such as a resident living in the vicinity of the premises 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.