



The Chairman asked the members of the Sub-Committee to confirm that they had read the agenda. Councillors Conway and Taylor confirmed they had read the documents at hand.

The Chairman asked the Members of the Sub-Committee if they were familiar the premises. Councillors Conway and Taylor said they were familiar with the premises

The Chairman asked R Hill if he had anything to add to the report.

R Hill said the TEN was for an event to take place this coming weekend. The applicant did indicate that he would be attending with a colleague but they have not arrived. The applicant was advised that the meeting would begin at 10.30am and that the committee could proceed and make a decision in his absence. R Hill alerted the committee that the applicant's advert on Facebook had been cancelled overnight but there had been no communication with the Licensing department. R Hill asked the committee if they were happy to proceed in the absence of the applicant.

The Committee decided to proceed in the applicant's absence.

Councillor Taylor said that this was a familiar situation where the applicant is not stating all the facts and he said that Michael Ward's report endorsed these feelings. Councillor Taylor asked that if a counter notice was issued and this event took place, would the applicant face prosecution?

R Hill said that the applicant could be prosecuted by the police or by the Council.

Councillor Taylor asked for clarification on some points. He asked if he had said that the websites selling tickets were not his and whether there was another event with the same name taking place the same weekend.

R Hill said that this was said in his statement. The Facebook page states that it is hosted by Julias Rost.

Councillor Taylor said he did not believe the integrity.

R Hill said that there were various inconsistencies. His Facebook event page states a limit of 200 people but the TEN only allows for 150 attendees. Furthermore, he advertises late night open mic sessions after the end of the TEN.

Councillor Taylor referred to page 12 of the report and said that the applicant has stated event times of 15.00hr – 23.00hr which Councillor Taylor assumed was the Sunday times. However, there are no Saturday times and in section 5, he states the Saturday times as 17.00hr – 24.00hrs. He said it was for the committee to decide if these misrepresentations were intentional.

The Chairman invited the objectors to make any comments.

M Ward said that the premise has history of these events. There have been adverts on the internet for 'Norfest' for four years. Police have received complaints every year relating to parking, noise and anti-social behaviour. Some noise complaints have been from over a mile away. Last year when officers visited the premises, they were told that the lodger had hosted a party. This party happened over a 24-36 hour period. M Ward said that he had spoken on the phone with the applicant after receiving the report. M Ward informed the applicant that he would be making a representation to the committee and he highlighted issues with regards to public safety as in the past he has erected a stage and set up a campsite. M Ward informed the applicant that he needed to go to the government website to follow guidelines.

The Chairman asked when M Ward phoned the applicant.

M Ward said he phoned him on the 10<sup>th</sup> May which was the day he received the report.

M Sherwood reiterated the noise complaints from a mile away, south of the site. He said that you would expect a westerly wind so the distance and direction of the noise highlights how loud and disruptive it was.

Councillor Conway said that the report states he has sold 11 tickets but the TEN allows 150 people.

M Ward said that when he visited the Facebook site on 10<sup>th</sup> May, 77 people had indicated they would be attending.

The Chairman asked the committee if they had enough information to make a decision.

The meeting was adjourned at 10.52 am.

The meeting reconvened at 11.06 am.

### Resolved

We have referred to the Council's statement of licensing policy and had regard, as we must, to this alongside the 4 licensing objectives.

But we have reached our decision based on the evidence that has been put before us in relation to the Temporary Event Notice, and not on any policy ground.

The application is for a licence via a Temporary Event Notice to sell alcohol by retail, for the provision of late night refreshment and for the provision of regulated entertainment from 5pm to 12 midnight on Saturday 28 May, and from 3pm to 10pm on Sunday 29 May at **Norcott Court, Norcott Hill, Northchurch, HP4 1LE**. These premises do not hold a licence.

We have received objections from the Hertfordshire Constabulary and the Environmental Health Department.

The objections from Hertfordshire Constabulary note that there is a history of complaints relating to past events at Norcott Court. These complaints were from residents regarding excessive noise, and anti-social behaviour. Furthermore, previous events in 2012, 2013, 2014 and 2015 are said to have been publicised as 'Norfest' where patrons have bought 1 or 2 day tickets and camping has at times been permitted on the grounds. The Constabulary believe that these have been small scale unlicensed music festivals. Recent checks of internet and social media sources have found reference to 'Norfest 2016'. Tickets for 1 or 3 days passes to the event are being sold, and some sold out. Mr Rost has denied any such advertisements and ticket sales.

Following complaints about an event in September 2015, Mr Rost was advised to liaise with the Council's Environmental Health Department in order to deal with future noise levels. Recently, he has also been referred to the 'Purple Guide' on a government website in order to help him follow the correct safety assessments required to hold events such as his.

We have read and heard the objections from the Environmental Health Department. They wish the Committee to refuse the application because of previous noise nuisance and misleading information supplied by Mr Rost. The Department received complaints from residents, from as far as a mile away, regarding disruptive noise nuisance over a period of 23hrs.

We have not heard from the Applicant himself as he failed to appear. We have read the additional information he supplied as part of his application. The whole of his application does not adequately address how he meets or intends to meet the 4 licensing objectives in any or sufficient detail to satisfy the Committee.

We have taken into account his denials that he has held and intends to hold a music festival. However, this is at odds with his social media pages which showed that he was selling tickets. Mr Rost has failed to address concerns relating to anti-social behaviour and excessive noise nuisance. The Committee, on the evidence before us, are not satisfied that the event that the Applicant wishes to hold is a birthday party, but appears to be something akin to a small music festival.

Therefore, the Committee, unanimously, has unanimously determined to give the premises user a counter-notice under s105 of the 2003 Act for the reasons stated above.

The Meeting ended at 11.10 am