

WELWYN HATFIELD COUNCIL  
ALCOHOL AND REGULATED ENTERTAINMENT COMMITTEE  
REPORT OF THE LICENSING OFFICER

Northaw and Cuffley

REPORT TO ALCOHOL AND REGULATED ENTERTAINMENT COMMITTEE

**GRANT OF TEMPORARY EVENT NOTICE FOR TL29926 THE QUARRY, LAND AT THE END OF HEMPSHILL BROOK, ACCESS FROM NORTHAW ROAD EAST, CUFFLEY, HERTFORDSHIRE, EN6 4RB**

**1 Summary of the Temporary Event Notice**

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| <b>Premises User (s)</b>   |
| MR GOUTHAM MADHUSOODHANAN MENON  |
| <b>Address of Premises/Event</b>   |
| TL29926 THE QUARRY, LAND AT THE END OF HEMPSHILL BROOK, ACCESS FROM NORTHAW ROAD EAST, CUFFLEY, HERTFORDSHIRE, EN6 4RB |

This committee report contains a Temporary Event Notice for a Jungle Mayhem event with sale of alcohol and regulated entertainment on 16<sup>th</sup> September 2023 10:00 – 23:00 for up to 499 people at The Quarry, Land at the end of Hempshill Brook, Access from Northaw Road East, Cuffley, Hertfordshire, EN6 4RB.

The Temporary Event Notice served on the Licensing Authority is provided in Appendix A to this report.

Summary of Notice Received

The premises user served a Temporary Event Notice on the Licensing Authority under the Licensing Act 2003 Section 100 on Tuesday 15<sup>th</sup> August 2023. The notice is for the sale of alcohol and regulated entertainment on 16<sup>th</sup> September 2023 10:00 – 23:00 for up to 499 people. The premises user is in line with the legislation by serving the Temporary Event Notice more than 10 working days before the planned event dates.

The Temporary Event Notice was reviewed and processed as a valid a notice by the Licensing Authority. The notice was sent to Hertfordshire Police and the Council's Environmental Health Team on Wednesday 16<sup>th</sup> August 2023. The Relevant Authorities were notified that representations to the Temporary Event Notice were required to be provided to the Licensing Authority by the end of Friday 18<sup>th</sup> August 2023.

The Licensing Authority provided the premises user with an acknowledgement letter for the Temporary Event Notice by email on Tuesday 15<sup>th</sup> August 2023.

## 1.1 Unresolved representations

The Licence Hearing is a result of the Licensing Authority receiving formal written relevant objections from the Environmental Health Team and Hertfordshire Police to the Temporary Event Notice within the 3 working day consultation period. The representations against the notice have been submitted under the Licensing Act 2003 on the statutory grounds of:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Part 2 Appendix A – Temporary Event Notice submitted on Tuesday 15<sup>th</sup> August 2023

Part 2 Appendix B – Location of event site

Part 2 Appendix C - Representation from Environmental Health

Part 2 Appendix D – Representation from Hertfordshire Police

## 2 Details of Representations Received

Formal written relevant objection notices have been submitted by Environmental Health and Hertfordshire Police against the Temporary Event Notice.

The objection from Environmental Health is made on the grounds of the Prevention of Public Nuisance licensing objective. The objection can be found below.

### The prevention of public nuisance

There is currently a premises licence within the locality which allows a certain number of music events in any 12 month period. The event site has been subjected to very strict controls and a specific limit on the number of events. Any music event in the surrounding locations will be audible to residents, therefore it will have an cumulative impact. I appreciate this is a different event site compared to the site that has a premises licence, however, the sites are close enough that the impact on residents will be the same. It is not appropriate for further music events to take place within this location. It is my view that permitting additional events is likely to cause a public nuisance.

The objection from Hertfordshire Police is made on the grounds of the prevention of crime and disorder, public safety and the protection of children from harm licensing objectives. The objection can be found below.

### Crime and Disorder

This event is being proposed under a TEN, but is a high risk event (a live music/festival event) requiring all the oversight, safety measures and strictures which are the very purpose of a Premises Licence. The applicant has not put forward any form of mitigation measures to combat the risk for this event which is as large as possible for a TEN. This includes but is not limited to crowd control, search/entry policies and on-site security. As this premises does not have a Licence, conditions cannot be attached to this TEN, for context a similar site in

close proximity has over 30 conditions in place to meet the Licensing objectives. The site in question has no natural surveillance or any CCTV.

### Public Safety

The location poses potential logistical challenges for the emergency services and has no infrastructure or services except a dirt road/track. As per above- This event is being proposed under a TEN, but is a high risk event for public safety, requiring all the oversight, safety measures and strictures which are the very purpose of a Premises Licence. The applicant has not put forward any form of mitigation or measures to combat this enhanced risk. There is also no information regarding 'on-site' traffic management/ separation of vehicles and pedestrians.

### The protection of children from harm

This event holds appeal for those under 18 and although I note that it is an 'over 18' event I have seen no practical measures in place to ensure children are not able to enter or purchase alcohol, this is relevant to a TEN, as most TEN's approved have some natural guardianship or supervision element- such as family or school staff present.

The Temporary Event Notice has been brought to the Alcohol and Regulated Entertainment Committee to be determined. The representation from Environmental Health is detailed in Appendix C to this report. The representation from Hertfordshire Police is detailed in Appendix D to this report.

## **3 Background**

The Temporary Event Notice submitted is for a Jungle Mayhem event with sale of alcohol and regulated entertainment on 16<sup>th</sup> September 2023 10:00 – 23:00 for up to 499 people. The committee are advised that whilst the applicant has applied for the sale of alcohol and regulated entertainment between 10:00 – 23:00 under the main timings Section 3 on page 3 of the form, the applicant has then stated they plan to have live music entertainment between 08:00 – 23:00 on page 4 of the notice form. The Temporary Event Notice form can be found in Appendix A to this report.

The applicant has also included the following information on the event in the notice:

The Jungle Mayhem event is to be held on a small grassland park surrounded by woods and farmland in the surrounding area. The space has a transportable road to the location and parking facilities. The site is located at the end of Hempshill Brook and is accessed from an entrance on Northaw Road East.

We intent to use 70% of area mainly to setup the stage and other needed stalls which will be connected to each other. We will have a small dancing floor and stage with decor. Parking spaces are available for the visitors in Colesdale farm with other basic amenities.

We won't be using heavy surrounding sound system so there will be no issues of heavy nuisance and we will appoint a sound engineer to further control the system making sure we don't effect the surroundings.

This event is organised by Psyclowns LTD (15008990) a company started by a group of graduates from India. The name of the event is Jungle Mayhem. Our main aim is to connect the likeminded ones through music and build a community with harmony. We intended to promote and share Indian art and culture. The event intends to bring together people and communities that share a mutual passion and liking towards live electronic music. The event will showcase live DJ sets which will explore different music genres, including experimental trance, techno, and Indian trance. The setup will be minimalistic, with a canopy-covered small stage that will include a small DJ booth for artists to play in. Full surrounding system and additional light systems will not be utilised in order to reduce noise nuisance. The light system with speakers will only be placed close to the DJ booth. The event is a night long celebration of dance, music, and people.

These details on the proposed event have been provided on the Temporary Event Notice by the applicant, this can be found in Appendix A of this report.

The committee is therefore asked to determine whether or not to uphold the Environmental Health Officer and Hertfordshire Police Licensing Officer's objections.

#### **4 Explanation**

The committee is obliged to determine the application in light of the objection from the Environmental Health Officer (Appendix C) with a view to promoting the Prevention of Public Nuisance Licensing Objective. In addition to the objection from Hertfordshire Police (Appendix D) in relation to Crime and Disorder, Public Safety and the Protection of Children from Harm licensing objectives.

In making its decision, the committee is also obliged to have regard to the National Guidance and the Councils own Licensing Policy in that it can only: -

- a) Grant the Temporary Event Notice as served.
- b) With the agreement of the relevant persons and applicant modify the Temporary Event Notice, including changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration.
- c) Uphold the objections made by Environmental Health and Hertfordshire Police and reject the Temporary Event Notice.

The Licensing Committee are unable to add conditions to the Temporary Event Notice as the premises/area proposed to be used under the TEN does not benefit from an existing premises licence.

#### **5 Licensing Policy**

- 5.1 The sub committee will also wish to be aware of the revised Guidance issued under section 182 of the licensing Act 2003.

#### Guidance 9.42

Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

#### Guidance 9.43

The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

#### Guidance 9.44

Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

5.2 The sub-committee will also wish to be aware of Welwyn Hatfield Council Statement of Licensing Policy, which includes:

25.7 Where the Police or Environmental Health object they will serve an objection notice on you. You can then discuss the event and agree modifications to address their concerns. If no agreement is reached, we will hold a hearing to consider the objection.

## **6 Recommendation**

6.1 The committee must have regard to the Temporary Event Notice served and the evidence it hears. The sub-committee is therefore asked to determine the Temporary Event Notice.

6.2 In determining the notice, which must be at the conclusion of the hearing the sub-committee may on behalf of the licensing authority, and having regard to the promotion of the licensing objectives, statute, guidance and policy decide on the following courses of action:

- a) Grant the Temporary Event Notice as served.
- b) With the agreement of the relevant persons and applicant modify the Temporary Event Notice, including changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration.
- c) Reject the Temporary Event Notice.

## **7 Appendices**

Appendix A – Temporary Event Notice submitted on Tuesday 15<sup>th</sup> August 2023.

Appendix B – Location of event site and event entrance

Appendix C – Representation from Environmental Health

Appendix D – Representation from Hertfordshire Police

Nicol Tupling Licensing Technical Officer  
Date – 21/08/2023